



DOCKET NO. LFS-90

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Fluidic Device For Medical Diagnostics, the specification of which

(check one) is attached hereto.

was filed on _____ as

Application Serial No. _____

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/093,421
(Application Number)

July 20, 1998
(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No. Filing Date Status

Application Serial No. Filing Date Status

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith as well as to file equivalent patent applications in countries foreign to the United States including the filing of international patent applications in accordance with the Patent Cooperation Treaty: Audley A. Ciamporcero, Jr. (Reg. #26,051), Steven P. Berman (Reg. #24,772), Andrea L. Colby (Reg. #30,194), Michael Stark (Reg. #32,495), Mark Warfield (Reg. #33,463), and James

Riesenfeld (Reg. #29,429) One Johnson & Johnson Plaza, New Brunswick, NJ 08933.

Address all telephone calls to James Riesenfeld at telephone no. (408) 956-4066.

Address all correspondence to Audley A. Ciamporcero, Jr., One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature:

Full Name of Sole
or First Inventor


Robert Justice Shartle

Date: 6/14/99

Citizenship: US

Residence: 1264 Geneve Court, Livermore, CA 94550

Post Office Address: Same as Above

Inventor's Signature:

Full Name of Second Joint
Inventor, If Any


Herbert Chow

Date: 6/14/99

Citizenship: US

Residence: 736 Oakview Way, Redwood City, CA 94062

Post Office Address: Same as Above

Inventor's Signature:

Full Name of Third Joint
Inventor, If Any


Christa Hartmann

Date: 6/11/99

Citizenship: US

Residence: 4607 Walnut Street, Oakland, CA 94619

Post Office Address: Same as Above

(Supply similar information and signature for fourth and subsequent joint inventors.)



LIFE-02

DOCKET NO. LFS-90

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shartle et al.

Serial No. : 09/333,765 Art Unit: 1743

Filed : June 15, 1999 Examiner: L. Alexander

For : Fluidic Device for Medical Diagnostics

Commissioner for Patents
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY

Sir:

In the matter of the above-identified application, I hereby appoint Bret Field, Reg. No. 37,620; Carol LaSalle, Reg. No. 39,740; Frank Becking, Reg. No. 42,309; and Robert Hall, Reg. No. 39,209, of the firm Bozicevic, Field and Francis, whose postal address is 200 Middlefield Road, Suite 200, Menlo Park, California 94025, my associate attorneys to prosecute said application, to make alterations and amendments therein, to file continuing applications claiming the benefit of said application, to receive the patent and to transact all business in the Patent Office connected with said application.

I request all communications with respect to said application be addressed to Carol LaSalle, Bozicevic, Field and Francis, 200 Middlefield Road, Suite 200, Menlo Park, California 94025. All telephone calls should be directed to Carol LaSalle (650) 327-3400.

In accordance with 37 CFR 3.73(b), I certify that I am empowered to act on behalf of the Assignee by virtue of an Assignment a copy of which is attached hereto.

Signed at Milpitas, in the County of Santa Clara and State of California, this 2nd day of January, 2002.

Bernard E. Shay
Bernard E. Shay
Reg. No. 32,061
Attorney for Applicant(s)

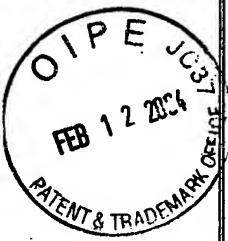
1000 Gibraltar Drive
Milpitas, CA 95035
(408) 956-4066
DATED: 4/2/02

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

Commissioner of Patent and Trademarks:

Please record the attached original documents or copy thereof.

LFS-90



<p>1. Name of conveying party(ies):</p> <p>Robert Justice Shartle Herbert Chow Christa Hartmann</p> <p>Additional name(s) of conveying party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: LifeScan, Inc.</p> <p>Street Address: 1000 Gibraltar Drive</p> <p>City: Milpitas State: CA Zip: 95035</p> <p>Additional name(s) & address(es) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: March 24 and 29, 2000</p>	
<p>4. Application number(s) or patent number(s): 09/333,765</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p> <p>A. Patent Application No.(s) B. Patent No.(s)</p>	
<p>Additional numbers attached? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Audley A. Ciamporcerio, Jr., Esq. Chief Patent Counsel Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003</p>	
<p>6. Total number of applications & patents involved: <u>1</u></p>	
<p>7. Total fee (37 CFR 3.41) <u>\$40.00</u></p>	
<p><input checked="" type="checkbox"/> Authorized to be charged to Deposit Account</p>	
<p>8. Deposit Account Number: 10-0750/LFS-90/JR</p>	
<p>9. Statement and signature</p> <p><i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p>	
<p>James Riesenfeld</p>	
<p>Name of Person Signing Signature Date</p>	
<p>Total number of pages including cover sheet, attachments, and document: 5</p>	

Mail documents to be recorded with required cover sheet information to:

Box Assignments
Commissioner of Patent and Trademarks
Washington, D.C. 20231

A S S I G N M E N T

Serial No. 09/333,765
Filed June 15, 1999

WHEREAS, Robert J. Shartle, Herbert Chow, and Christa Hartmann, residing at 1264 Geneve Court, Livermore, CA 94550, 736 Oakview Way, Redwood City, CA 94062, and 4607 Walnut Street, Oakland, CA 94619 respectively (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

Fluidic Device For Medical Diagnostics

for which they have executed an application for Letters Patent of the United States; and

WHEREAS, LifeScan, Inc., a corporation of the State of California, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof; the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above

described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 29th day of March, 2000.

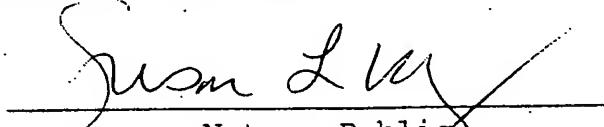

(L.S.)

Robert Justice Shartle

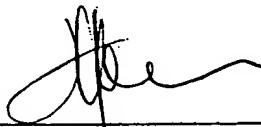
STATE OF CALIFORNIA)
)
) ss.
COUNTY OF SANTA CLARA)

On March 29, 2000, before me, Susan L. Richartz, a Notary Public, personally appeared Robert Justice Shartle, who is/are personally known to me or who proved to me on the basis of satisfactory evidence to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) executed the instrument.




Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 24th day of March, 2000.

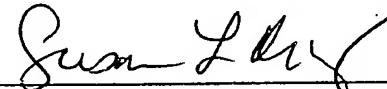


(L.S.)
Herbert Chow

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On March 24, 2000, before me, Susan L. Richartz, a Notary Public, personally appeared Herbert Chow, who is/are personally known to me or who proved to me on the basis of satisfactory evidence to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) executed the instrument.





Notary Public

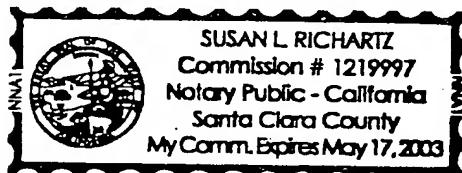
IN TESTIMONY WHEREOF, Assignor has hereunto set her hand and seal this 24th day of March, 2000.

Christa Hartmann
Christa Hartmann

(L.S.)

STATE OF CALIFORNIA)
)
) SS.
COUNTY OF SANTA CLARA)

On March 24, 2000, before me, Susan L. Richartz, a Notary Public, personally appeared Christa Hartmann, who is/are personally known to me or who proved to me on the basis of satisfactory evidence to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) executed the instrument.



Susan L. Richartz

Notary Public